

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, SEPTEMBER 10, 2009

Presiding: Mayor Glenn W. Dalling
Meeting Convened at 6:30 p.m.
Prayer: Harold Harris
Pledge of Allegiance

Present: Mayor Dalling; Sharon L. Bell, Clerk; Marcie A. Smith, Treasurer; Councilmembers Harold Harris, Bruce King, Brad Orme and Lamont Merrill; and Brian Hawkes, Jesse Brown and Vaun Waddell, Planning & Zoning Commission.

The Mayor asked if there were any corrections to the minutes of the regular meeting held on August 27, 2009. Each Councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Merrill and seconded by Councilmember Harris to accept said minutes; motion carried.

Marcie presented the August reconciliation reports for the General Fund. It was moved by Councilmember Harris and seconded by Councilmember Merrill to accept the August reconciliation reports for the General fund; motion carried. Marcie presented the August reconciliation reports for the Utility Fund. It was moved by Councilmember Orme and seconded by Councilmember Harris to accept the August reconciliation reports for the Utility Fund; motion carried.

Marcie presented the current bills in the amount of \$41,522.60. It was moved by Councilmember King and seconded by Councilmember Harris to pay the current bills, together with all regular September bills that have not yet been received, subject to investigation of the \$402.50 to Edstrom Construction; motion carried.

ORDINANCE NO. 283:

Councilmember Orme introduced Ordinance No. 283 entitled:

“AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF SUGAR CITY, IDAHO, FOR THE FISCAL YEAR OCTOBER 1, 2009, TO SEPTEMBER 30, 2010, AND APPROPRIATING TO THE SEVERAL DEPARTMENTS, OFFICES AND FUNDS OF THE SAID CITY GOVERNMENT FROM THE REVENUE DERIVED FROM TAXES LEVIED FOR SAID FISCAL YEAR, AND ALL OTHER SOURCES, SUCH SUMS AS MAY BE NECESSARY OR DEEMED NECESSARY BY THE MAYOR AND CITY COUNCIL TO DEFRAY THE EXPENSES AND LIABILITIES OF SAID CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2010.”

It was moved by Councilmember Orme and seconded by Councilmember King to waive the

reading on three different days and in full and place it upon its final passage. Thereupon the Clerk called roll upon said motion.

Those voting aye: Councilmembers Harris, King, Orme and Merrill
Those voting nay: none

Thereupon, the Mayor declared that the motion, having been passed by not less than two-thirds of the Council, had been duly carried. It was moved by Councilmember Orme and seconded by Councilmember Harris to adopt said ordinance. Thereupon, the Clerk called roll upon said motion.

Those voting aye: Councilmembers Harris, King, Orme and Merrill
Those voting nay: none

Ordinance No. 283 was thereupon declared by the Mayor to have been duly passed by not less than two-thirds of the Council, and the Clerk was instructed to publish said Ordinance No. 283 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the City of Rexburg, Madison County, Idaho.

PLANNING & ZONING REPORT: P&Z Chairman Brian Hawkes addressed the council.

Wind turbine ordinance: Brian presented copies of the latest version of the wind turbine ordinance. He said there are two major changes: (1) to allow horizontal and vertical axis wind turbines, and (2) to become an “auxiliary use” of land in title 9, chapter 6, like telecommunication towers. They will both require special use permits. The land use schedule will be updated in title 9. P&Z is planning to take the wind turbine ordinance to public hearing on October 15, 2009.

Comprehensive Plan: The comprehensive plan will be updated where it talks about allowing use of wind turbines and of telecommunication towers.

Title 9: Brian reported that P&Z is still revising title 9.

Sugar City zoning map: Brian reported that everything is in place for the public hearing next week.

TITLE 1: Councilmember Bruce King discussed the latest version of title 1. A few changes were discussed. Bruce will discuss proposed changes/questions with Attorney Forsberg and then make approved changes. The ordinance should be ready to pass and adopt in two weeks. No action was taken tonight.

DOG ORDINANCE, RESOLUTION: Councilmember Bruce King led a discussion on the proposed new dog ordinance and resolution. He would like to tweak it a couple of places and will ask Attorney Forsberg about a couple of the attorney’s suggestions for the ordinance and resolution that raised questions. Attorney Forsberg recommended that the city hold a public hearing on the proposed new dog ordinance, since the revised ordinance is a significant change to the city’s dog ordinance. Bruce feels we should include a note in the October newsletter that the dog ordinance and resolution will be posted on the city Web site once the draft is completed. Dog problems were discussed. Councilmember Orme suggested that the city prepare a form on which to track dog complaints. Bruce said he would assist Brad in adding a paragraph in the dog ordinance on how to lodge a complaint. Bruce and Brad will work together on the language.

DEPARTMENT REPORTS:

COUNCILMEMBER HARRIS:

Transportation Committee: Harold reported that the next transportation committee meeting is scheduled for Tuesday, September 15, 2009.

Crack sealing, streets: Harold said city crews are planning to do some crack sealing by the middle of October. He said he went to the assessor's office today, because there has been a question about who owns the street in front of Walter Deitz's house and through Bob Oliphant's property. He found out that the city owns that property from 1st South going north to Center Street. Walter told Harold that since the city owns the property, he would like some work done on the street.

Southeast corner of Center Street and Front Street: Harold reported that the sprinkler system by the curb and gutter, which the city installed, goes through Janet Harris' property. Janet would like to have her property line established and asked that the city pay for the survey. Harold will take care of this matter.

COUNCILMEMBER ORME: The mayor suggested that before Brad's term on the council ends he would like him to present plans on signs for the parks. Brad said he is concerned that, with the economy the way it is, perhaps we should not proceed with the signs for the park. The mayor acknowledged Brad's concern, but would like him to proceed with the project.

COUNCILMEMBER KING:

Fall cleanup: Bruce said he is concerned about the inconvenience/nuisance to residents of asking them to separate grass clippings from tree limbs, etc. for city cleanups. Marcie will check with PSI to see if residents can put grass clippings in the weekly garbage pickup and will report to the council.

COUNCILMEMBER MERRILL:

Ground water infiltration of sewer lines: Lamont said two weeks ago City Engineer Dick Dyer sent him charts that show a significant increase in the amount of the weekly wastewater flow to the Rexburg sewer treatment plant. Flows in the south lift station were up significantly. The infiltration of ground water appears to be costing the city about \$2,200 per month. He and Zane have determined to video the line entering the south lift station. There are three or four city manholes in the Stillman property. Roger Muir, who is farming the property, is concerned about the city digging up the manholes, thinking it will disturb his farming operations. The mayor volunteered to discuss the problem with Roger Muir, and Lamont offered to go with the mayor to talk to Roger.

MAYOR'S BUSINESS:

Update on new developments: There is nothing happening in Toscano. Real estate agents have not sold one building lot in Old Farm Estates.

Business Park update: The mayor reported that, for all practical purposes, the business park is complete. Snow Shack is the only business that has expressed an interest in purchasing a lot.

Water right application: The mayor said we received a letter from Travis L. Thompson of Barker, Rosholt & Simpson, LLP, acknowledging that they received Sugar City's water right

application, but there has been no comment since. The mayor asked Forsgren Associates to check on the status of the application.

Meeting adjourned at 8:55 p.m.

Signed: _____
Glenn W. Dalling, Mayor

Attested: _____
Sharon L. Bell, Clerk